

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Aritaka Ohno, et al.
Serial No.: 10/700,312
Filing Date: October 31, 2003
Title: Fiber Optic Gyroscope
Conf. No. 5430

Examiner: Akm Enayet Ullah
Art Unit: 2874

March 7, 2005

Office of Petitions
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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OFFICE OF PETITIONS

PETITION TO WITHDRAW FROM ISSUE
UNDER 37 C.F.R. 1.313(C)(2)

Sir:

Applicant submits this petition to withdraw the application from issue under 37 C.F.R. 1.313(C)(2) and also submits herewith a Request for Continued Examination.

Applicant requests the RCE and payment of its fee be contingent on this petition being granted. You are authorized to charge the petition fee, RCE fee and any additional fees to deposit account 07-0137. A copy of this page authorizing the charge to the deposit account is attached.

This petition and the RCE are being submitted so that the Applicant can have considered prior art that will be submitted with an Information Disclosure Statement. The IDS is not being faxed because the cited references exceed fifty pages (approximately over 100 pages). The references were brought to our attention based on a foreign counterpart action dated March 1, 2005.

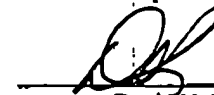
Respectfully submitted,



David N. Lathrop
Reg. No. 34,655
601 California St., Suite 1111
San Francisco, CA 94108-2805
Tel.: (415) 989-8080 Fax: (415) 989-0910

Certificate of Transmission

I certify that this Petition to Withdraw from Issue and all following materials are being transmitted by facsimile on March 7, 2005 to the Office of Petitions, U.S. Patent and Trademark Office at telephone number (571) 273-0025.



David N. Lathrop

Enc. Request for Continued Examination
Copy of Petition for deposit account

03/10/2005 AKELLEY 00000000 070137 10700312

01 FC:1454 130.00 DA

Docket: KPO186

*** RX REPORT ***

RECEPTION OK

TX/RX NO	8111
RECIPIENT ADDRESS	415 989 0910
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TIME USE	01'30
PGS.	4
RESULT	OK

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PTO/SP-30 (08-03)

Approved for use through 07/31/2006. OMB 0851-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Request
For
Continued Examination (RCE)
TransmittalAddress to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/700,312
Filing Date	October 31, 2003
First Named Inventor	Aritaka OHNO
Art Unit	2874
Examiner Name	Akm Enayet Ullah
Attorney Docket Number	KPO186

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. ☐ Other _____
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Petition under 1.313(c) (2)
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)
- b. ☐ Other _____
3. **Fees**
- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 07-0137
- a. ☒ RCE fee required under 37 CFR 1.17(a)
- b. ☐ Extension of time fee (37 CFR 1.138 and 1.17)
- c. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	David N. Lathrop, Esq.	Registration No. (Attorney/Agent)	34,655
Signature	<i>[Signature]</i>	Date	03-07-2005

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	David N. Lathrop, Esq.	Date	03-07-2005
Signature	<i>[Signature]</i>		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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OFFICE OF PETITIONS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Aritaka Ohno, et al.
Serial No.: 10/700,312
Filing Date: October 31, 2003
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Conf. No. 5430

Examiner: Akm Enayet Ullah

Art Unit: 2874

COPY

March 7, 2005

Office of Petitions
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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MAR 07 2005

OFFICE OF PETITIONS

PETITION TO WITHDRAW FROM ISSUE
UNDER 37 C.F.R. 1.313(C)(2)

Sir:

Applicant submits this petition to withdraw the application from issue under 37 C.F.R. 1.313(C)(2) and also submits herewith a Request for Continued Examination.

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This petition and the RCE are being submitted so that the Applicant can have considered prior art that will be submitted with an Information Disclosure Statement. The IDS is not being faxed because the cited references exceed fifty pages (approximately over 100 pages). The references were brought to our attention based on a foreign counterpart action dated March 1, 2005.

Respectfully submitted,



David N. Lathrop
Reg. No. 34,655
601 California St., Suite 1111
San Francisco, CA 94108-2805
Tel.: (415) 989-8080 Fax: (415) 989-0910

Certificate of Transmission

I certify that this Petition to Withdraw from Issue and all following materials are being transmitted by facsimile on March 7, 2005 to the Office of Petitions, U.S. Patent and Trademark Office at telephone number (571) 273-0025.



David N. Lathrop

Enc. Request for Continued Examination
Copy of Petition for deposit account

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Aritaka Ohno, et al.
Serial No.: 10/700,312
Filing Date: October 31, 2003
Title: Fiber Optic Gyroscope
Conf. No. 5430

Examiner: Akm Enayet Ullah
Art Unit: 2874

COPY

March 9, 2005
San Francisco, California

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Applicant requests consideration of this information disclosure statement filed pursuant to a filing of a Request for Continued Examination ("RCE") and petition to withdraw from issue under 37 C.F.R. 1.313(C)(2). A copy of the grant of petition, the petition to withdraw and the RCE are enclosed for reference.

Pursuant to the duty of disclosure set forth in 37 CFR § 1.56, Applicant respectfully submits the following information disclosure statement.

The undersigned certifies that each of the following references was contained in a communication from a counterpart foreign application not more than three months prior to the filing of this statement.

The disclosed references are:

JP 6-307876, Japanese Patent Office, published November 4, 1994, with its English translation.

JP 7-151555, Japanese Patent Office, published June 16, 1996, with its English translation.

JP-2002-532705, Japanese Patent Office, published February 10, 2002.

A fourth reference, PCT Application Publication No. WO/00/36375, is also being submitted because it is believed to be a counterpart to JP-2002-532705 and may serve as a translation thereof.

Applicants respectfully request that the Examiner initial the cited references shown on the enclosed form PTO-1449 and that the references be made of record in the present request for continuing examination.

Respectfully submitted,



David N. Lathrop
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601 California St., Suite 1111
San Francisco, CA 94108-2805
Telephone: (415) 989-8080
Facsimile: (415) 989-0910

Certificate of Transmission

I certify that this Information Disclosure Statement and PTO Form 1449 are being transmitted by facsimile on March 9, 2005 to Attn: Ms. Frances Hicks, Office of Petitions, U.S. Patent and Trademark Office at telephone number (571) 273-0025.



David N. Lathrop

Enc. US PTO Form 1449
Cited references (4; 2 w/translations)
to be mailed to PTO (over 100 pages)
Return receipt postcard

SHEET 1 OF 2

Substitute Form PTO-1449

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEDOCKET
KPO186S.N.
107700,312

INFORMATION DISCLOSURE STATEMENT

APPLICANT
Aritaka Oino, et al.FILING DATE
October 31, 2003GROUP
2874

U.S. PATENT DOCUMENTS

*Exam. Initial	Cite No.	DOCUMENT NUMBER Number - Kind Code	PUBLICATION DATE	NAME OF PATENTEE OR APPLICANT	FILING DATE
		US-			
		US-			
		US-			
		US-			
		US-			
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		US-			

FOREIGN PATENT DOCUMENTS

*Exam. Initial	Cite No.	DOCUMENT NUMBER Number - Kind Code	PUBLICATION DATE	NAME OF PATENTEE OR APPLICANT	TRANSLATION YES NO	
		JP 6-307876	11-4-94	JAPAN	X	
		JP 7-151555	6-16-96	JAPAN	X	
		JP-2002-532705	2-10-02	JAPAN		X
		WO/00/36375	6-22-00	PCT		

NON-PATENT LITERATURE DOCUMENTS

*Exam. Initial	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	TRANSLATION YES NO	

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP; draw line through citation if not in conformance and not considered. Include copy of this form with next communication with applicant.

GALLAGHER & LATHROP

A PROFESSIONAL CORPORATION
INTELLECTUAL PROPERTY LAW

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SAN FRANCISCO
CALIFORNIA 94108-2805

TELEPHONE (415) 989-8080
FACSIMILE (415) 989-0910

FACSIMILE TRANSMISSION
(571) 273-0025

TO: Ms. Frances Hicks, Office of Petitions
FROM: David N. Lathrop
DATE: 3/9/05
SUBJECT: IDS for Petition to Withdraw from Issue
SERIAL #: 10/700,312
OUR FILE: KPO186

Number of pages being sent (including cover sheet): 4

TRANSMITTING FROM
(415) 989-0910

Per your request we are attaching the IDS and PTO 1449 for Serial No. 10/700,312 in connection with the Petition to Withdraw from Issue. As discussed by phone today, the prior art references exceed 100 pages and will be forwarded by mail upon grant of the petition.

We appreciate your assistance in this matter.

*** RX REPORT ***

RECEPTION OK

TX/RX NO	8122
RECIPIENT ADDRESS	415 989 0910
DESTINATION ID	
ST. TIME	03/09 13:19
TIME USE	01'03
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RESULT	OK